

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GARY ELI,
Plaintiff,
v.
JACOB JOSEPH LEW,
Defendant.

Case No. [14-cv-03488-MEJ](#)

ORDER OF DISMISSAL

Plaintiff Gary Eli filed the above-captioned matter on August 1, 2014, at which time the case was scheduled for a Case Management Conference on October 30, 2014. However, as there was no indication that Defendant Jacob Joseph Lew had been served in accordance with Federal Rule of Civil Procedure 4, the Court vacated the Case Management Conference on October 24, 2014 and ordered Plaintiff to file a status report by November 13, 2014. The October 24 Order was returned as undeliverable.

Pursuant to Civil Local Rule 3-11, "a party proceeding pro se whose address changes while an action is pending must promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address." Civil L.R. 3-11(a). If mail directed to the party by the Court has been returned to the Court as not deliverable, and the Court fails to receive notice within 60 days indicating a current address, the Court may dismiss a complaint without prejudice. Accordingly, as more than 60 days have passed and Plaintiff has not provided a current address, the Court DISMISS this case WITHOUT PREJUDICE.

IT IS SO ORDERED.

Dated: January 20, 2015



MARIA-ELENA JAMES
United States Magistrate Judge

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CERTIFICATE OF SERVICE


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 1/20/2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Gary Eli
855 West Sunset Blvd
Apt A
Hayward, CA 94541

Dated: 1/20/2015

Richard W. Wieking
Clerk, United States District Court

By: 
Chris Nathan, Deputy Clerk to the
Honorable MARIA-ELENA JAMES

United States District Court
Northern District of California